



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: D'Amato

Application No.: 09/704,054

Group Art Unit: 1614

Filed: November 11, 2000

Examiner: J. D. Goldberg

For: METHODS FOR INHIBITION OF
ANGIOGENESIS

Attorney Docket No.: 9516-039

12

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Your Petitioner, the undersigned, states that The Children's Medical Center Corporation, Assignee, is the owner of the above-identified application (which is a continuation of Application No. 08/950,673, filed October 16, 1997, now U.S. Patent No. 6,071,948, issued June 6, 2000), by virtue of assignments which were recorded in the United States Patent & Trademark Office on: November 4, 1993 at Reel/Frame 6756/0429; February 10, 1994 at Reel/Frame 6890/0389; May 12, 1995 at Reel/Frame 7502/0289; and November 25, 1997 at Reel/Frame 8820/0455.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent 5,629,327 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,629,327.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

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Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,629,327 in the event that said patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignments in the chain of title and, to the best of his knowledge and belief, title is in the Assignee seeking to take action in this matter and that he is empowered to act on behalf of Assignee.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date March 18, 2002

By:

Donald P. Lombardi

Title:

Chief Intellectual Property Officer
The Children's Medical Center Corporation
Boston, Massachusetts 02115



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TRANSMITTAL OF TERMINAL DISCLAIMER AND FEE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The fee for processing the Terminal Disclaimer filed concurrently herewith for the above-captioned application is believed to be \$110.00. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Date March 19, 2002

Anthony M. Insogna
Anthony M. Insogna

by Laura A. Cory
35,203
(Reg. No.)

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New York, New York 10036-2711
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rejections and reconsideration of the amended claims is requested. An allowance is earnestly sought.

Respectfully submitted,

Date March 19, 2002

Anthony Insogna
Anthony M. Insogna

*by Laura A. Cory
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Enclosure